

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
J.M. AND K.M., ON BEHALF OF THEMSELVES  
AND THEIR MINOR CHILD, M.M.,

Plaintiffs,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION; THE BOARD OF EDUCATION  
OF THE CITY SCHOOL DISTRICT OF THE  
CITY OF NEW YORK; CHANCELLOR DAVID  
BANKS IN HIS OFFICIAL CAPACITY; AND  
THE CITY OF NEW YORK,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 10/31/2023

23 Civ. 8705 (AT)

**ORDER**

Having reviewed the parties' submissions filed on October 6, 23, and 27, 2023, ECF Nos. 6–9, 18–20, 22–23, IT IS ORDERED:

1. Defendants, their agents, officers, servants, representatives and/or employees shall immediately arrange for and provide appropriate transportation for M.M. as set forth in the August 29 and September 24, 2023 orders of the individual hearing officer, which are included as Exhibit E to the Declaration of Elisa Hyman dated October 6, 2023, *see* ECF No. 8-5, and which include: (a) a five-point safety harness, and an adequate substitute until they are able to secure a five-point safety harness; (b) a trained paraprofessional; (c) limited travel time; and (d) the provision of a Board Certified Behavioral Analyst, as set forth in the Interim Order;

2. Defendants are directed to permit M.M. to ride the bus without a paraprofessional on those days and times that a paraprofessional is not available, so long as the bus has a harness to restrain him and the bus staff believe that it is safe to do so;

IT IS FURTHER ORDERED that service of this Order upon the parties will be complete upon the filing of this Order by the Court on ECF; and

IT IS FURTHER ORDERED that the requirement under Rule 65(c) that a bond be posted is waived.

SO ORDERED.

Dated: October 31, 2023  
New York, New York



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ANALISA TORRES  
United States District Judge